

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

MRI SOFTWARE LLC,) Case No. 1:12-cv-01082-CAB
)
 Plaintiff,) Judge Christopher A. Boyko
)
 v.)
)
 LYNX SYSTEMS, INC.,)
)
 and)
)
 DONALD ROBINSON,)
)
 Defendants.

PLAINTIFF'S CERTIFICATION IN COMPLIANCE WITH LOCAL RULE 37.1

Pursuant to Local Rule 37.1(a)(2), undersigned counsel for Plaintiff, MRI Software LLC (“MRI”), below certifies that we have made good faith efforts to resolve the discovery disputes as to Lynx’s production of documents in response to MRI’s Document Request Nos. 7 and 17, and Lynx’s deficient responses to Interrogatory Nos. 4, 15, 16, 19, 20 and 21. Counsel for MRI certifies as follows:

1. In efforts to resolve the discovery disputes as to Document Request Nos. 7 and 17, and Interrogatory Nos. 4, 15, 16, 19, 20 and 21, MRI sent correspondence dated July 26, September 26, and October 24.

2. In addition, on October 2, counsel for MRI, Daniel McMullen and Georgia Yanchar, conferred telephonically with Lynx’s counsel, John McLandrich and David Movius, regarding the discovery disputes set forth in MRI’s earlier correspondence. Lynx’s counsel agreed during the conference to check whether additional PSOs corresponding to the entries in the Sales by Summary Spreadsheet exist and if so, whether they were produced. Lynx’s counsel subsequently made several promises in an email dated October 9, 2013, but never followed through on them.

3. Other than the correspondence attached to MRI's December 2, 2012 Certification (Doc. # 126), Lynx has not provided any further follow up as to any of the foregoing discovery disputes.

4. As set out above, in MRI's December 2, 2012 Certification (Doc. # 126), and in the parties' May 15, 2013 Agreement (Doc. # 75), MRI has made repeated good faith efforts to resolve the foregoing discovery disputes without the Court's involvement. Unfortunately, Lynx has ignored MRI's correspondence, and failed to fulfill its promises.

Respectfully submitted,
this 12th day of December, 2013

By: /s/ Georgia E. Yanchar

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CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2013, a true and correct copy of the foregoing was filed electronically with the Court using the CM/ECF system. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt and parties may access this filing through the Court's System.

/s/ Georgia E. Yanchar
One of the Attorneys for Plaintiff